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March 3, 2022

By ECF

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
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Re: *United States v. Misael Baez*, 21 Cr. 637 (VEC)

Dear Judge Caproni:

I write on consent of Pretrial Services (Officer Jonathan Lettieri) to respectfully request that the Court modify Misael Baez's bail conditions by (1) terminating the condition of home detention enforced by electronic monitoring; and (2) amending his work-related condition to read "Defendant to continue or seek employment," rather than the current condition which limits the potential employment opportunities to only those that could be completed from inside the home. (This condition was put in place at Mr. Baez's presentment to allow Mr. Baez to work while on home incarceration.) The Government – per Assistant U.S. Attorney Kevin Mead – takes no position on the request.

Mr. Baez is charged with participating in a narcotics conspiracy, in violation of 21 U.S.C. § 846. He was initially presented on August 19, 2021, and released on conditions including a \$100,000 personal recognizance bond co-signed by three financially responsible persons, and "home incarceration" enforced by electronic monitoring. On November 3, 2022, the court reduced the intensity of supervision from "home incarceration" to "home detention."

Mr. Baez has been wholly compliant with all the conditions of release over the past five months, and his exemplary conduct supports the requested modifications, which will allow Mr. Baez to take advantage of a much larger spectrum of employment opportunities. *See* 18 U.S.C. § 3142(c)(B) (court to impose the least restrictive conditions necessary to reasonably assure the appearance of the person and the safety of the community; court "may at any time amend the order to impose . . . different conditions of release.").

Honorable Valerie E. Caproni
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Thank you for your consideration of this request.

Respectfully submitted,

/s/

Martin S. Cohen
Ass't Federal Defender
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cc. Kevin Mead, Esq., by ECF and by e-mail
Jonathan Lettieri, Pretrial Services, by e-mail

Application GRANTED. Mr. Baez's bail conditions are modified as follows:

1. Home detention with electronic monitoring is eliminated.
2. Mr. Baez must continue or seek employment, which may include work outside the home.

SO ORDERED.



3/3/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE